

EXHIBIT S

1 IN THE UNITED STATES DISTRICT COURT

2 DISTRICT OF HAWAI'I

3 U.S. EQUAL EMPLOYMENT OPPORTUNITY) Case No. CV-21-00286-JMS-RT
COMMISSION,)
4) DEPOSITION UPON ORAL
Plaintiff,) EXAMINATION OF JOYCE
5) RICHARD-WHITE
v.)
6) Chief Judge: Honorable J.
ORI ANUENUE HALE, INC.;) Michael Seabright
7 OPPORTUNITIES AND RESOURCES, INC.;)
and DOES 1-5, INCLUSIVE,) Trial Date: February 13,
8) 2024 at 8:30 HST
Defendants.)
9)

10 DEPOSITION OF JOYCE RICHARD-WHITE

11 Friday, May 12, 2023 at 9:07am (HST), Defendants, by and
12 through their attorney of record, Nathaniel Dang, Esq., of Cades
13 Schutte, LLP, pursuant to Hawaii Rules of Civil Procedure, will
14 take the deposition of JOYCE RICHARD-WHITE.

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20 BEFORE: ANDREW R. PITTS, RPR, CSR No. 532
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1 APPEARANCES:

2 U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
3 MR. ERIC YAU, ESQ.
300 Ala Moana Boulevard
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6 Appeared on behalf of Plaintiff;

7 CADES SCHUTTE, LLP
MR. NATHANIEL T. DANG, ESQ.
8 MR. JEFFREY S. PORTNOY, ESQ.
1000 Bishop Street
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10 808-521-9235
ndang@cades.com
11 jportnoy@cades.com

12 Appeared on behalf of Defendants.

13

14 ALSO PRESENT:

15 MS. LINDA LAMBRECHT, Legal Interpreter;

16 MS. GINA HUNGERFORD, Legal Interpreter;

17 MS. KERI LEE, Legal Interpreter;

18 MR. HERCULES GOSS-KUEHN, Legal Interpreter.

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RICHARD-WHITE	DESCRIPTION	PAGE
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1 LINDA LAMBRECHT, GINA HUNGERFORD, KERI LEE,
2 HERCULES GOSS-KUEHN,
3 called as interpreters herein, were administered
4 oaths to interpret the questions from the English
5 language to the American Sign Language and the
6 answers from the American Sign Language to the
7 English language:

8 (Whereupon, the witness was
9 administered an oath.)

10 JOYCE RICHARD-WHITE,
11 called as a witness herein, having been first
12 administered an oath through interpreters, was
13 examined and testified through interpreters as
14 follows:

15 CROSS EXAMINATION

16 BY MR. DANG:

17 Q. Can you please state your full name for
18 the record.

19 A. Joyce Richard-White. So it's spelled
20 J-O-Y-C-E, R-I-C-H-A-R-D, slash, White, W-H-I-T-E.

21 Q. Do you mind if I call you Joyce during
22 this proceeding?

23 A. Yes.

24 Q. My name is Nathaniel Dang. I am the
25 attorney for Defendants ORI Anuenue Hale, Inc. and

1 Opportunities and Resources, Inc. in a lawsuit
2 brought by the EEOC in which you have been named as
3 one of five charging parties; do you understand
4 that?

5 INTERPRETER GOSS-KUEHN: And then what was
6 the second corporation's name?

7 MR. DANG: Opportunities and Resources,
8 Inc.

9 BY THE WITNESS:

10 A. Yes.

11 BY MR. DANG:

12 Q. Are you aware of the lawsuit?

13 A. Yes.

14 Q. Do you understand that this procedure
15 today has the full force and effect as if we were in
16 a courtroom before a judge?

17 A. I understand.

18 Q. Do you understand that you have been
19 sworn to tell the truth under penalty of law?

20 A. Okay.

21 Q. Everything that's said today will be
22 taken down by a court reporter; do you understand
23 that?

24 A. Yes, okay.

25 Q. And the court reporter will give you a

1 copy of the transcript of this deposition, and you
2 will have 30 days, until 30 days after your receipt
3 of the transcript to review it and make any
4 corrections to your testimony; do you understand
5 that?

6 A. Okay.

7 MR. YAU: Do you want to put on the record,
8 Nat, that we will ask to review the transcript now?

9 MR. DANG: Sure.

10 MR. YAU: So we will ask to review the
11 transcript after this deposition.

12 THE WITNESS: Okay.

13 BY MR. DANG:

14 Q. If I ask you anything that you don't
15 understand, please let me know, and I will do my
16 best to try to rephrase the question, otherwise
17 I will assume that you did understand the question;
18 do you understand?

19 A. Okay.

20 Q. Are you on any sort of medication, drug,
21 or alcohol that could affect your ability to testify
22 truthfully today?

23 A. No, no.

24 Q. Joyce, I am going to ask you a few
25 questions about your background. Will you please

1 tell me where you were born.

2 A. From the island of Micronesia. My home
3 is called Chuuk.

4 Q. When did you move to the United States?

5 A. I was here, I moved here when I was 25,
6 April 5th, 1970.

7 Q. Did you attend elementary school in
8 Chuuk?

9 A. I went to school, but I only learned to
10 gesture.

11 Q. Were you born deaf?

12 A. Yes, I was born deaf.

13 Q. Do you have hearing parents?

14 A. Yes, yeah.

15 Q. Is anyone else in your family deaf?

16 A. There's four of us that are deaf in my
17 family.

18 Q. Did you grow up with those people?

19 INTERPRETER GOSS-KUEHN: Of those people,
20 could you clarify, are you saying with anyone near,
21 or are you saying family --

22 MR. DANG: The four deaf family members.

23 INTERPRETER GOSS-KUEHN: Okay. Thank you.

24 BY THE WITNESS:

25 A. Yes, we grew up together.

1 BY MR. DANG:

2 Q. Do they use sign language?

3 A. Yes, mostly gestures, but some Chuukese
4 sign language.

5 Q. Are your four deaf family members your
6 siblings?

7 A. Yes, they're sisters and brothers.

8 Q. How did your deaf siblings and you
9 yourself communicate with your parents?

10 A. Most of the time, we gestured with our
11 parents, my brothers and sisters as well.

12 Q. Do you know Chuukese sign language as
13 well.

14 A. Yes, I do.

15 Q. Is Chuukese sign language a direct
16 translation of the Chuukese language?

17 A. Yeah, they're almost the same.

18 Q. Do you know when you first attended
19 school?

20 MR. YAU: Objection. Asked and answered.

21 INTERPRETER GOSS-KUEHN: Can you rephrase
22 the question?

23 BY MR. DANG:

24 Q. Just to put it on the record for Joyce,
25 the EEOC's attorney may object from time to time.

1 This is to put it on the record in case we need to
2 review it later, but you should answer the question
3 nevertheless unless the attorney instructs you not
4 to answer; do you understand that?

5 A. Yes, okay.

6 Q. I'll rephrase my last question.

7 How old were you when you first attended
8 school?

9 A. 25.

10 Q. Was that after you moved to the United
11 States?

12 A. I went to school at first at six and
13 attended until I was 12, and then stopped until much
14 later.

15 Q. Do you know what grade level you stopped
16 at, at age 12?

17 A. Eighth grade. I went up to eighth
18 grade.

19 Q. And your schooling from ages six
20 through 12, was that in a mainstream school setting,
21 or was it a school or a classroom specific to deaf
22 individuals?

23 A. Are you speaking of the college level?

24 Q. I'm talking about ages six through 12.

25 A. Six.

1 Q. The question was whether it was a
2 mainstream setting or whether it was a specialized
3 classroom or school for deaf individuals.

4 A. There were deaf people in Chuuk. There
5 were -- yes, there were, there were deaf people.

6 Q. At your school?

7 A. Yes, there were.

8 Q. Were all of your classmates deaf?

9 A. Yes.

10 Q. How did the teachers communicate with
11 the students?

12 A. The teachers were all hearing, but some
13 of them gestured.

14 Q. Were there interpreters present?

15 A. Oh, no. No, they didn't.

16 Q. Did they teach sign language at that
17 school?

18 A. No, they taught gestures most of the
19 time.

20 Q. Was every student in your school deaf?

21 MR. YAU: Objection. Asked and answered.

22 INTERPRETER GOSS-KUEHN: Do you want to
23 rephrase the question?

24 BY MR. DANG:

25 Q. Please answer if you can.

1 INTERPRETER HUNGERFORD: Repeat the
2 question, please.

3 BY MR. DANG:

4 Q. Was every student in your school deaf?

5 A. Yes, they were.

6 Q. Did the teachers use writing to
7 communicate with the students?

8 INTERPRETER GOSS-KUEHN: So sorry, excuse
9 me, we were addressing.

10 INTERPRETER HUNGERFORD: Sorry.

11 INTERPRETER GOSS-KUEHN: Do you mind saying
12 the question again?

13 BY MR. DANG:

14 Q. The question was, Did the teachers use
15 writing to communicate with the students?

16 A. Mostly we just gestured, so no, we
17 didn't use writing much at all for communicating
18 with teachers.

19 Q. What subjects did you learn up until
20 grade eight?

21 A. In my classes, I really couldn't tell
22 you what those subjects were. I didn't understand
23 the books that I was given.

24 Q. Do you know if they taught English?

25 A. Not much. Very, very little.

1 Q. Did your siblings that are deaf go to
2 the same school as you?

3 A. Yes, we did attend the same school too.

4 Q. Were you assigned grades at your school?

5 A. Occasionally they did. I occasionally
6 earned grades.

7 Q. I know it's been a very long time, but
8 do you happen to recall any classes in which you
9 excelled and got good grades?

10 A. I enjoyed learning the alphabet most.

11 Q. Do you mean the English alphabet?

12 A. I was primarily fascinated by the
13 letters. I really liked them; however, they didn't
14 speak to me in words yet.

15 Q. Did you practice writing the letters?

16 INTERPRETER GOSS-KUEHN: So you mean like
17 learning the A to Z, like the alphabet A through Z,
18 is that what you have been referring to as letters?

19 MR. DANG: Right.

20 BY THE WITNESS:

21 A. Yes, indeed, I liked writing all the
22 alphabet letters from A to Z.

23 BY MR. DANG:

24 Q. Today you're using the assistance --

25 INTERPRETER GOSS-KUEHN: Oh --

1 INTERPRETER HUNGERFORD: Biological break,
2 please, for the team, if we may.

3 MR. DANG: Sure.

4 INTERPRETER HUNGERFORD: What time is
5 permitted?

6 MR. DANG: I guess is five minutes okay?

7 INTERPRETER HUNGERFORD: Thank you.

8 (Whereupon, a short break was
9 taken.)

10 BY MR. DANG:

11 Q. Joyce, you're testifying here today with
12 the assistance of a deaf interpreter; is that right?

13 A. Yes, here is my first time with a deaf
14 interpreter.

15 Q. Is it more helpful for you to have a
16 deaf interpreter as opposed to a hearing
17 interpreter?

18 A. Yes, it's helpful that there's three
19 interpreters here, two hearing and one deaf, but
20 it's definitely helpful to have the deaf interpreter
21 here because if it was actually just the two hearing
22 interpreters, the translation and the interpretation
23 going between all of us is really difficult. So
24 it's nice having this deaf interpreter here as well.

25 Q. Can you explain how having the deaf

1 interpreter present makes it easier to communicate?

2 MR. YAU: Objection. Asked and answered.

3 BY THE WITNESS:

4 A. So with the hearing interpreters, even
5 though they're fluent ASL, they're not as culturally
6 competent as a deaf interpreter may be, and the deaf
7 interpreter has the language capabilities to expand
8 upon what is being said, so it's more
9 comprehensible, and especially if the message is
10 abstract as well. They're able to -- it's crucial
11 that they can decipher that part, if it's crucial.

12 INTERPRETER GOSS-KUEHN: "If it's crucial,"
13 excuse me. The interpreter is --

14 BY MR. DANG:

15 Q. Can you give an example of something
16 that might be lost in translation if there are two
17 hearing interpreters and no deaf interpreter?

18 A. If we can clarify, do you mean talking
19 between hearing people and writing messages back and
20 forth? Or do you mean conversing with -- can you
21 rephrase the question?

22 BY MR. DANG:

23 Q. I'm referring to when you are
24 communicating --

25 INTERPRETER: Wait a minute. That was an

1 answer; that was not a question.

2 INTERPRETER HUNGERFORD: Her answer was --
3 would you mind -- right. The answer?

4 Go ahead. Please voice the answer again.

5 BY THE WITNESS:

6 A. Yes, so when I interact with hearing
7 people and write back and forth, I don't understand
8 the messages; however, when I'm signing with other
9 deaf people, I can understand what is going on with
10 that.

11 BY MR. DANG:

12 Q. What can a deaf interpreter translate
13 that a hearing person cannot?

14 MR. YAU: Objection. Asked and answered.

15 BY THE WITNESS:

16 A. The key difference between interacting
17 with hearing people or deaf people is that there's a
18 cultural component that is often missing when
19 interacting with hearing people. When you're
20 interacting with deaf people, we're able to
21 understand each other more fluently because the
22 cultural aspect is there when we are talking to one
23 another. Sometimes with hearing people, the culture
24 is that different that sometimes the messages are
25 not understood.

1 BY MR. DANG:

2 Q. Can you expand on that a little more?

3 When you speak about cultural
4 competence, do you mean that there might be slang
5 words that the deaf community knows but that a
6 hearing interpreter might not know?

7 A. Yeah.

8 Q. You and the deaf interpreter are
9 conversing and communicating in ASL though; is that
10 correct?

11 A. So on going back, a hearing person may
12 know ASL, yes, but I just feel like when we're
13 writing back and forth and we're trying to
14 communicate with one another, it's difficult in
15 comparison to interacting with another deaf person.
16 It's more easily understood between one another.

17 Q. Are there any ASL signs that only a deaf
18 interpreter could use?

19 A. Yes. Yeah.

20 Q. How about different facial expressions?

21 MR. YAU: Objection. Vague.

22 BY THE WITNESS:

23 A. Yeah, there are some differences.

24 BY MR. DANG:

25 Q. You said that you finished school at

1 least temporarily at age 12. Why did you stop
2 schooling at that age?

3 A. So when I finished at age 12, then
4 I went to KCC after.

5 Q. How old were you when you intended KCC?

6 A. I was 25.

7 Q. Why did you stop your schooling at age
8 12?

9 MR. YAU: Objection. Asked and answered.

10 BY THE WITNESS:

11 A. KCC? Yeah, what do you mean? I just
12 went to KCC. I --

13 BY MR. DANG:

14 Q. Did you consider going to high school?

15 A. Yeah, so there was a high school back in
16 Chuuk, and I also really wanted to go to high
17 school.

18 Q. Why did you not go?

19 A. I wanted to look for a new educational
20 opportunity, so then I went to KCC because I didn't
21 go to the high school in Chuuk.

22 INTERPRETER GOSS-KUEHN: But let's clarify
23 real quick.

24 INTERPRETER HUNGERFORD: Clarification.

25 BY THE WITNESS:

1 A. I was expecting to go to high school,
2 but I didn't go, and so then I went to KCC.

3 BY MR. DANG:

4 Q. Is there a reason you didn't go?

5 MR. YAU: Object. Objection. Asked and
6 answered.

7 BY THE WITNESS:

8 A. Well, I went all the way up until eighth
9 grade, and then after that decided to go to KCC to
10 take ASL.

11 BY MR. DANG:

12 Q. After eighth grade, did you have to work
13 or help your family?

14 A. Yeah, so before KCC, I was working. So
15 after that, I had been working.

16 Q. Did you start working at 12 years old?

17 A. Well, after school, I finished, and then
18 that was that.

19 Q. How old were you when you first started
20 working?

21 A. 25 years old.

22 Q. Were you a student at KCC when you first
23 started working?

24 INTERPRETER GOSS-KUEHN: Asking for
25 clarification on the question.

1 BY THE WITNESS:

2 A. Yes.

3 BY MR. DANG:

4 Q. What did you do between the ages of 12
5 and 25?

6 MR. YAU: Objection. Asked and answered.

7 BY THE WITNESS:

8 A. I was working.

9 BY MR. DANG:

10 Q. But you just told me you started working
11 at age 25. Can you explain that?

12 INTERPRETER GOSS-KUEHN: The interpreters
13 are just clarifying the answer.

14 BY THE WITNESS:

15 A. So I've been doing the same kind of work
16 since age 12 up to 25. So I've been doing the same
17 kind of work.

18 MR. DANG: Okay.

19 BY MR. DANG:

20 Q. What work was that?

21 A. So janitorial work. So I would check
22 the rubbish cans. I would check the dispensers for
23 the soap. I would clean the bathrooms and the
24 washrooms.

25 Q. What buildings were you cleaning? What

1 type of buildings were you cleaning?

2 MR. YAU: Objection. Mischaracterizes the
3 evidence, assumes facts not in evidence.

4 INTERPRETER HUNGERFORD: Still answer this
5 one?

6 MR. YAU: Uh-huh.

7 INTERPRETER HUNGERFORD: Please repeat that
8 for the interpreter.

9 BY MR. DANG:

10 Q. What type of buildings were you
11 cleaning?

12 A. The first job I was cleaning was at
13 Hickam.

14 Q. How about in Chuuk?

15 MR. YAU: Objection. Vague.

16 BY MR. DANG:

17 Q. What company did you work for in Chuuk?

18 MR. YAU: Objection. Vague, assumes facts
19 not in evidence.

20 INTERPRETER HUNGERFORD: Do you want to
21 repeat that question then? Sorry, I wasn't sure I'm
22 following.

23 MR. DANG: I'll rephrase it.

24 INTERPRETER HUNGERFORD: Oh, okay.

25

1 BY MR. DANG:

2 Q. Who did you work for in Chuuk?

3 MR. YAU: Objection. Objection. Vague.
4 Assumes facts not in evidence.

5 BY THE WITNESS:

6 A. So when we were talking about the
7 current, like the work here in Hawaii, it was at
8 Hickam, but when regarding work in Chuuk, I was just
9 cleaning buildings. There's no specific company
10 I can recall.

11 BY MR. DANG:

12 Q. When you were working in Chuuk, did you
13 work by yourself, or did you work with another
14 person?

15 A. Oh. So in regards to being back home in
16 Chuuk, I was cleaning at home and just tending and
17 cleaning and doing housekeeping.

18 Q. Did you have to communicate with anyone
19 for that job?

20 MR. YAU: Objection. Vague, assumes facts
21 not in evidence.

22 INTERPRETER HUNGERFORD: Go ahead then.

23 BY THE WITNESS:

24 A. I was doing the housekeeping by myself.
25 Yeah, I was doing tasks for housekeeping. I didn't

1 have to communicate with anyone.

2 BY MR. DANG:

3 Q. Did you have any supervisors?

4 MR. YAU: Objection. Asked and answered.

5 BY THE WITNESS:

6 A. I didn't have a supervisor or boss.

7 BY MR. DANG:

8 Q. How did you know which buildings to
9 clean?

10 MR. YAU: Objection. Mischaracterizes prior
11 testimony, assumes facts not in evidence.

12 BY THE WITNESS:

13 A. I organized and planned everything by
14 myself in regard to housekeeping, and then there was
15 other houses that I went to, such as my grandma's.
16 She was unable to clean her own, so I did
17 housekeeping for her.

18 BY MR. DANG:

19 Q. Did you have customers?

20 MR. YAU: Objection. Vague.

21 BY THE WITNESS:

22 A. Yes, I had customers.

23 BY MR. DANG:

24 Q. Did you communicate with your customers?

25 A. I would primarily gesture to my

1 customers.

2 Q. How did you communicate your rate for
3 your services?

4 MR. YAU: Objection. Vague, assumes facts
5 not in evidence, mischaracterizes prior testimony.

6 BY THE WITNESS:

7 A. There was no monetary exchange.
8 Everything was free.

9 BY MR. DANG:

10 Q. Did you move to the United States by
11 yourself?

12 A. I was alone when I moved to the States.

13 Q. Are all of your deaf siblings still in
14 Chuuk?

15 A. Yes, that's correct. I'm the only one
16 that is here. They're all back in Chuuk.

17 Q. Why did you move to the United States?

18 A. My aunt.

19 Q. She lives here?

20 A. Yeah, she told me to come here, and now
21 she lives in Big Island.

22 Q. Did you know about the KCC program
23 before moving to the United States?

24 A. Yeah, my aunt's children, so my cousins,
25 they know the lay of the land here on the island,

1 and so they helped refer and they showed me how to
2 get to SSI, and they directed me to DVR, and they
3 also told me about the KCC program.

4 Q. Are you happy you moved to the U.S. from
5 Chuuk?

6 A. Oh, yes. Oh, yes.

7 MR. YAU: Do we need a break? I'm just --

8 MR. DANG: Up to you guys if you need one.
9 I'm fine with taking one.

10 INTERPRETER HUNGERFORD: Yes, please.

11 MR. YAU: Let's take a break.

12 MR. DANG: Back in five minutes.

13 (Whereupon, a short break was
14 taken.)

15 BY MR. DANG:

16 Q. Joyce, so you just testified that you're
17 very happy that you moved from Chuuk to the United
18 States. Can you explain why?

19 MR. YAU: Objection. Mischaracterizes prior
20 testimony.

21 BY THE WITNESS:

22 A. Hawaii is an amazing place. I love it
23 here.

24 BY MR. DANG:

25 Q. Is the weather here similar to the

1 weather in Chuuk?

2 INTERPRETER GOSS-KUEHN: Can you repeat
3 that, please?

4 BY MR. DANG:

5 Q. Is the weather here similar to the
6 weather in Chuuk?

7 A. Yes, it is.

8 Q. What do you like to do in your free
9 time?

10 A. Mostly I'm working, but whenever I get a
11 chance, I love to go to the beach.

12 Q. Do you live with anyone?

13 A. Yes, I live with my family.

14 Q. Do you have children?

15 A. Yes, I have two children. The first one
16 is hard of hearing, and the second one is deaf.

17 Q. And do they live with you?

18 A. Yes, my sons live with me.

19 Q. Do you have a spouse?

20 A. I was married, but we're separated.

21 Q. So it's just you and your two sons
22 living together?

23 A. Yes.

24 Q. How old are your children?

25 A. The oldest is 13, and my second son is

1 ten.

2 Q. Are they in school?

3 A. Oh, yes.

4 Q. And where do they go to school?

5 A. My oldest son goes to dole middle
6 school, and my second son attends the deaf school
7 called the Hawaii School for The Deaf and Blind.

8 Q. Do your children know ASL?

9 A. Yes, of course.

10 Q. Do you communicate with them in ASL?

11 A. Yes, we do. Yes.

12 Q. When did you first learn ASL?

13 MR. YAU: Objection. Asked and answered.

14 BY THE WITNESS:

15 A. I was about 20 which I started.

16 BY MR. DANG:

17 Q. And you enrolled in an ASL program at
18 KCC?

19 A. Yes, I did.

20 Q. Did you complete the program?

21 A. I didn't finish the program. I left it
22 early.

23 Q. Why did you leave the program early?

24 A. Well, DVR told me that they didn't have
25 any more funding, so I had to quit attending school.

1 Q. Was DVR paying for all of your tuition
2 at KCC?

3 A. Yes.

4 Q. What did you do after leaving the KCC
5 program?

6 MR. YAU: Objection. Vague.

7 BY THE WITNESS:

8 A. I got a job.

9 BY MR. DANG:

10 Q. Did you get that job through DVR?

11 A. Yes, they did, they helped me find a
12 job.

13 Q. And what job was that?

14 A. I got a job at Dave & Buster's.

15 Q. Do you know the year in which you first
16 started working at Dave & Buster's?

17 A. In 2007.

18 Q. And what was your job at Dave &
19 Buster's?

20 A. There were three aspects of my job
21 there. I cleaned the tables and made sure the
22 linens were washed and folded, and I also cleaned
23 the restrooms.

24 Q. Did DVR help you fill out the
25 application for that job.

1 A. Yes, they did.

2 Q. Did you interview for the Dave &
3 Buster's job?

4 A. Yes, they did.

5 Q. Did you have an interpreter present at
6 the interview?

7 MR. YAU: Objection. Vague.

8 BY THE WITNESS:

9 A. Oh, yes, they did have an interpreter.

10 BY MR. DANG:

11 Q. Well, do you know whether the
12 interpreter was provided by DVR or by Dave &
13 Buster's?

14 A. DVR paid for the interpreter.

15 Q. Did you have an orientation when you
16 started your job at Dave & Buster's?

17 A. Yes, they did have a training and
18 orientation.

19 Q. What topics did they cover during your
20 orientation at Dave & Buster's?

21 A. The orientation consisted primarily of
22 knowing where the different locations were that
23 I was going to work in order to clean the bathrooms
24 and to find the laundry facilities for the covers of
25 the chairs that I took off so that I could keep

1 things in order and replace the linens.

2 Q. Do you recall if they went over human
3 resources topics?

4 INTERPRETER GOSS-KUEHN: Yeah, for the
5 interpreter's clarification, do you mind expanding
6 how we are going to tell her HR? Can you expand on
7 that a little more or rephrase it in a different way?

8 BY MR. DANG:

9 Q. Did they go over policies relating to
10 your employment at the orientation?

11 INTERPRETER GOSS-KUEHN: Thank you so much.

12 BY THE WITNESS:

13 A. Yes, they did.

14 BY MR. DANG:

15 Q. Was an interpreter provided for you at
16 the orientation?

17 A. Dave & Buster's orientation was
18 primarily just writing back and forth. We didn't
19 have an interpreter for that.

20 Q. Were you able to learn enough from that
21 orientation to do your job?

22 MR. YAU: Objection. Vague.

23 BY THE WITNESS:

24 A. Yes, after showing me around and then
25 referencing the things I needed to know on the

1 paperwork, the boss did explain what I needed to do.

2 BY MR. DANG:

3 Q. Was the boss writing on a notepad to
4 communicate with you?

5 A. Yes.

6 Q. Did you write back to the boss in
7 English?

8 MR. YAU: Objection. Assumes facts not in
9 evidence.

10 BY THE WITNESS:

11 A. The boss would write to me similar to
12 this on a notepad and show it to me, and I would
13 confirm yes or no just gesturally or with a head
14 nod, but otherwise I didn't write back in English.

15 BY MR. DANG:

16 Q. Were there meetings at your job at
17 Dave & Buster's?

18 A. Oh, yes, we had meetings.

19 Q. Do you recall what any of those meetings
20 were about?

21 A. They would explain the rules for safety.

22 Q. Did they provide handouts at those
23 meetings?

24 MR. YAU: Objection. Vague.

25 BY THE WITNESS:

1 A. No, they just had an interpreter.

2 BY MR. DANG:

3 Q. How often would they have meetings at
4 Dave & Buster's?

5 A. Just about every day. Pretty frequently
6 they would have meetings.

7 Q. Did they always have an interpreter
8 present?

9 A. Yes, an interpreter was always present.

10 Q. Did you work alone at Dave & Buster's?

11 A. There were many deaf who worked at
12 Dave & Buster's.

13 Q. Were you partnered with anyone?

14 MR. YAU: Objection. Vague.

15 BY THE WITNESS:

16 A. Yes, we worked in partners.

17 BY MR. DANG:

18 Q. Were you partnered with a hearing
19 person?

20 A. I was partnered with a hearing person,
21 yes.

22 Q. How did you communicate with your
23 partner?

24 A. The coach made sure to remind my partner
25 to write back and forth with me using simple

1 English, and that's how we would communicate.

2 Q. When you say write back and forth, does
3 that mean that you also wrote back to your partner?

4 A. My partner would know what we would
5 need, and she would write a list of those items, but
6 generally it wasn't a conversation; it was just
7 items to go and get.

8 Q. Are you able to write in English?

9 MR. YAU: Objection. Vague.

10 BY THE WITNESS:

11 A. Only because of where I work at Dave &
12 Buster's where there are things I have not seen
13 before, like paper or bleach, I may only learn to
14 recognize those labels, but otherwise I don't read
15 sentences there.

16 BY MR. DANG:

17 Q. Can you explain your ability to write in
18 English?

19 A. I have very basic English writing
20 skills.

21 Q. Did you enjoy your job at Dave &
22 Buster's?

23 A. Oh, yes.

24 Q. How long did you stay there?

25 A. Excuse me. I'm going to drink here.

1 The last time I worked there was in
2 2010.

3 Q. Why did you stop working there in 2010?

4 A. I became pregnant and had to leave work
5 in order to take care of my baby.

6 Q. When did you start working again?

7 MR. YAU: Objection. Vague.

8 BY THE WITNESS:

9 A. I can't remember exactly. Let me try to
10 recall. I believe it was 2014.

11 Q. What job was that in 2014?

12 A. That's when I began working for Pride.

13 Q. Was that a job that you found through
14 DVR?

15 A. Yes, DVR assisted with that job.

16 Q. And by Pride, do you mean Pride
17 Industries?

18 A. Yes, that's right, Pride Industries.

19 Q. What was your role at Pride Industries?

20 A. I was doing stock for Pride, but then
21 they went out of business.

22 Q. Where was your job located?

23 A. At Hickam.

24 Q. And by stock, do you mean restocking
25 shelves?

1 A. Yes, exactly, unpacking boxes of
2 supplies and loading of the shelves.

3 Q. Was it a store on the base at Hickam?

4 A. Yes, it was.

5 Q. When you interviewed for the job at
6 Pride Industries, were you provided with an
7 interpreter?

8 MR. YAU: Objection. Assumes facts not in
9 evidence.

10 BY THE WITNESS:

11 A. Yes, there was an interpreter.

12 BY MR. DANG:

13 Q. Do you know whether DVR or Pride
14 Industries provided the interpreter?

15 A. Pride paid for the interpreter.

16 Q. Did you have an orientation at your job
17 at Pride Industries?

18 A. Yes, I did.

19 Q. Was an interpreter provided at the
20 orientation?

21 THE WITNESS: (Through Interpreter
22 Hungerford) I need a -- I just have a scratchy
23 throat. Sorry, I'm drinking so many much. I just
24 have an itchy throat today.

25 MR. DANG: No problem.

1 INTERPRETER GOSS-KUEHN: Do you mind saying
2 that question again, please?

3 MR. DANG: It was, Was an interpreter
4 provided at the orientation?

5 BY THE WITNESS:

6 A. Yes.

7 BY MR. DANG:

8 Q. Do you know who provided that
9 interpreter?

10 A. Pride paid for that interpreter.

11 Q. Do you recall requesting an interpreter
12 for the interview?

13 MR. YAU: Objection. Vague.

14 BY THE WITNESS:

15 A. Pride was the one who arranged the
16 interpreter.

17 BY MR. DANG:

18 Q. Do you recall whether you requested an
19 interpreter for your orientation with Pride
20 Industries?

21 A. No, my boss took care of it. They were
22 the ones who told them to come.

23 Q. Were there meetings at your job at Pride
24 Industries?

25 A. Yes, we did. Lots of meetings.

1 Q. How frequently did you have meetings?

2 A. Weekly.

3 Q. Were interpreters provided at all of
4 those meetings?

5 A. Yes, whenever there was a meeting, there
6 was an interpreter present readily on each weekly
7 meeting.

8 Q. And you said Pride Industries is not in
9 business anymore; is that correct?

10 MR. YAU: Objection. Assumes facts not in
11 evidence, misstates witness' prior testimony.

12 BY THE WITNESS:

13 A. It happened there in Pearl Harbor,
14 somebody ordered it to be closed, spelled T-A --
15 Trace, T-R-A-C-E. That's to the best of my
16 recollection. Sorry, I don't recall exactly how it
17 was spelled.

18 Trace is the name of a person
19 I spelled -- let me clarify the spelling. It's
20 Exchange. That's who -- the Navy Exchange, they're
21 the ones who made the decision. They're in a
22 different location near a bridge in the area.
23 I recall there's a bridge nearby their office.

24 BY MR. DANG:

25 Q. Did anybody tell you --

1 A. Sorry, I've forgotten some things.

2 I hope I'm not mistaken.

3 Q. No problem. Did anybody tell you why
4 Pride Industries was shut down?

5 MR. YAU: Objection. Vague, assumes facts
6 not in evidence.

7 BY THE WITNESS:

8 A. They informed me that it was shut down,
9 yes.

10 BY MR. DANG:

11 Q. Was that while you were working there?

12 A. One day near the end when they closed,
13 they called an all-company meeting and informed
14 everybody that they would be closing shortly after
15 that. That's how we were informed.

16 Q. Were you given a reason for that
17 decision?

18 MR. YAU: Objection. Asked and answered.

19 INTERPRETER GOSS-KUEHN: Interpreter
20 clarification, the reason being for her or for the
21 company?

22 MR. DANG: For the company, the decision to
23 shut the company.

24 MR. YAU: Objection. Asked and answered.

25 Thank you.

1 BY THE WITNESS:

2 A. I don't really understand why they shut
3 down.

4 BY MR. DANG:

5 Q. When did they shut down?

6 A. In 2009. Yes, that's correct, 2009.

7 Q. But you started working there in 2014,
8 right?

9 MR. YAU: Objection. Vague.

10 BY THE WITNESS:

11 A. Please repeat the question.

12 BY MR. DANG:

13 Q. You started working at Pride Industries
14 in 2014, right?

15 A. Yes, I think it was 2014. Oh, let's
16 clarify. Excuse me.

17 INTERPRETER HUNGERFORD: Interpreter
18 understanding, the answer is 2019, not 2009. Thank
19 you.

20 (Whereupon, MR. JEFFREY S. PORTNOY
21 entered the proceedings.)

22 BY MR. DANG:

23 Q. Did you enjoy your job at Pride
24 Industries --

25 INTERPRETER HUNGERFORD: One moment, please.

1 The interpreter wants to clarify for the record. She
2 says, "Excuse me. I initially signed 2009; however,
3 I meant to sign 2019. That was my own error by
4 admission."

5 BY MR. DANG:

6 Q. Did you enjoy the job at Pride
7 Industries?

8 A. Yes. Yes, I did.

9 Q. Were you provided with a partner in your
10 day-to-day work at Pride Industries?

11 A. Occasionally I would have either a deaf
12 or a hearing partner to work with me.

13 Q. If your partner was deaf, did you
14 communicate with your partner in ASL?

15 A. Yes.

16 Q. And how did you communicate with your
17 partner if your partner was hearing?

18 A. Some of those hearing employees knew
19 sign language.

20 Q. If they did not, were you able to
21 communicate with them?

22 A. We would get along with paper and pencil
23 a very little bit. If that hearing person didn't
24 know sign language, generally the boss would come
25 and explain to us how to proceed.

1 Q. And how would the boss explain how to
2 proceed?

3 A. My boss knows sign language and is able
4 to communicate with me by writing a note or signing
5 to me.

6 Q. Did you go to another job after Pride
7 Industries shut down in 2019?

8 A. When Pride Industries shut down in 2019,
9 one of the supervisors said that there was an
10 availability for work and they would call me.

11 Q. Did the supervisor say where there was
12 availability for work?

13 A. Yes, they texted me and informed me of
14 the new job with Trace near the bridge.

15 Q. And did you apply for that job with
16 Trace?

17 A. Somebody I had worked with at Pride
18 Industries went with me to the new job.

19 Q. So you worked at Trace after Pride
20 Industries?

21 A. Yes, I did.

22 Q. Did you have any assistance with your
23 job application at Trace?

24 A. My friend came along with me in order to
25 help me initially.

1 Q. Was there an application form that you
2 had to fill out for the job --

3 INTERPRETER HUNGERFORD: One moment, please.

4 THE WITNESS: (Through Interpreter
5 Hungerford) I need a break, please, if you don't
6 mind. Thank you.

7 MR. DANG: Sure. We'll take one for about
8 ten minutes.

9 THE WITNESS: Thank you.

10 (Whereupon, a break was taken.)

11 BY MR. DANG:

12 Q. Joyce, did you have to fill out a job
13 application for the job at Trace?

14 A. Yes, I did.

15 INTERPRETER HUNGERFORD: Sorry, we forgot to
16 switch.

17 MR. DANG: No problem.

18 BY MR. DANG:

19 Q. Did you have assistance with filling out
20 that job application?

21 A. Yes, I had assistance.

22 Q. Who assisted you?

23 A. There was a person, an individual, a
24 flap piano named Rose.

25 INTERPRETER GOSS-KUEHN: R-O-S-E.

1 BY MR. DANG:

2 Q. And was Rose part of Trace?

3 A. So this friend of mine is named Rose,
4 and she came. So my friend's name is Rose, and she
5 would come to me to assist me with this process.
6 She also operates machinery such as a forklift.

7 Q. Is Rose deaf?

8 A. She's hearing.

9 Q. Does Rose sign?

10 A. She doesn't sign; she just talks.
11 Sometimes we'll use text to one another.

12 Q. Did Rose come with you -- did you have a
13 job interview for the job with Trace?

14 A. So after my job with Pride Industries,
15 I had moved over to working at Trace, and I had an
16 interview with Erin.

17 INTERPRETER GOSS-KUEHN: E-R-I-N.

18 BY MR. DANG:

19 Q. Did Erin work for Trace?

20 A. Yeah. Yep.

21 Q. Did Erin sign?

22 A. He can, but he's not an expert at it.

23 Q. Was there an interpreter present at that
24 interview?

25 A. There was no interpreter present.

1 Q. Is Erin a certified interpreter?

2 A. No. I mean, they're just a signer, not
3 an interpreter.

4 Q. How were you able to communicate with
5 Erin during the interview?

6 A. We would communicate through writing on
7 a board and, to be honest, I had no idea what was
8 happening. I, me, I understand, like, when we did
9 orientation, I understood that part. I mean, with
10 the orientation, they showed me, you know, going
11 through, this is the first place that we're going
12 to, the second. So I understood it sequentially.

13 MR. YAU: And just for the record, is Erin
14 female or male?

15 THE WITNESS: (Through Interpreter
16 Goss-Kuehn) oh, I didn't mean Erin. There was
17 another man who was writing on the board.

18 INTERPRETER LAMBRECHT: (Through Interpreter
19 Goss-Kuehn) he's asking you if Erin himself is a
20 woman or a man.

21 INTERPRETER GOSS-KUEHN: Let me clarify.
22 Maybe the interpreter is saying it wrong. Let me
23 clarify. So Erin herself is a woman.

24 MR. YAU: Can we go off the record for a
25 minute?

1 (Whereupon, a discussion was had
2 off the record.)

3 BY MR. DANG:

4 Q. Joyce, just to clarify, we are talking
5 about the job interview with Trace right now, not
6 ORI; do you understand that?

7 A. Okay. Will do.

8 Q. So at Trace, were you being interviewed
9 by someone named Erin?

10 A. There was a man who was writing on the
11 board. So, I mean, it was just me, me and this man,
12 and we were just communicating on a board writing
13 back --

14 Q. And you don't know that man's name?

15 A. And only the man was --

16 INTERPRETER GOSS-KUEHN: We're clarifying
17 something real quick. Apologies.

18 Interpreter clarification: It wasn't that they
19 were writing back and forth; it was, "That man in
20 that part was just writing on the board, and my
21 only responding was doing head nods."

22 BY MR. DANG:

23 Q. The man was writing in English?

24 A. Yeah, he was writing English on the
25 board, and it flew past my head. It was just sad

1 | that there was no interpreter.

2 Q. How about at the orientation for the
3 Trace job, was there an interpreter present?

4 | A. There was no interpreter present.

5 Q. But you testified that you were better
6 able to understand the information at the
7 orientation relative to the interview; is that
8 correct?

9 MR. YAU: Objection. Vague, argumentative,
10 mischaracterizes the witness' testimony.

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11          INTERPRETER HUNGERFORD:  Would you mind
12 repeating it so that I could get an accurate
13 interpretation?
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14 BY MR. DANG:

15 Q. But you testified that you were better
16 able to understand the information conveyed at the
17 orientation as opposed to the interview at Trace; is
18 that correct?

19 MR. YAU: Objection. Mischaracterizes the
20 witness' testimony, assumes facts not in evidence.

21 BY THE WITNESS:

22 A. Okay. Trace and ORI had different
23 orientations. The information was different.

24 BY MR. DANG:

25 Q. To clarify, Joyce, we are talking only

1 about Trace right now.

2 INTERPRETER GOSS-KUEHN: Excuse me. The
3 interpreter made an error. Let me clarify and
4 rectify this real quick.

5 BY THE WITNESS:

6 A. The orientation I understood a little
7 bit more because we were able to gesture there.

8 BY MR. DANG:

9 Q. Who was -- scratch that.

10 Was any information presented to you at
11 the orientation?

12 MR. YAU: Objection. Vague.

13 INTERPRETER HUNGERFORD: Would you repeat
14 the question?

15 MR. DANG: I'll rephrase it.

16 BY MR. DANG:

17 Q. How was information presented to you at
18 the orientation?

19 MR. YAU: Objection. Asked and answered.

20 BY THE WITNESS:

21 A. So sometimes they would write to me, and
22 then they would point at an object or gesture
23 towards an object for me, and we did that for each
24 part of the orientation.

25 So, for example, we went down one aisle,

1 and they explained, like, what the reasoning is for
2 this documentation or what belonged in what aisle,
3 and they kind of pointed at things and slowly went
4 through the orientation like that.

5 BY MR. DANG:

6 Q. Did you enjoy your job at Trace?

7 A. Yes.

8 Q. Was it a stocking job?

9 A. Yeah, I had four tasks assigned to me.
10 So not only was I stocking and restocking, also was
11 sweeping up the ground, and I was also taking care
12 of separating recyclables such as, like, cans or,
13 like, bottles away from the rubbish.

14 And then the last task I did was
15 restocking, making sure that things were replenished
16 in their full quantity so if there was, like, two or
17 three bottles in a box, I had to replenish it to,
18 like, its full capacity of, like, 12.

19 Q. How long did you stay at your job at
20 Trace?

21 A. I'm not completely sure what year.
22 I don't remember. It was long, but --

23 Q. Why did you leave the job at Trace?

24 A. I don't remember specifically, but
25 I know that DVR or my previous workplace may have

1 information on that.

2 INTERPRETER HUNGERFORD: And that wasn't the
3 answer to your question. That was an expansion on
4 the previous question.

5 MR. DANG: Okay.

6 INTERPRETER HUNGERFORD: But now I will go
7 ahead and interpret your question.

8 MR. DANG: Okay. Sure.

9 BY THE WITNESS:

10 A. Pay was small, which is why I left. It
11 was only \$200. It was a measly amount.

12 BY MR. DANG:

13 Q. Did you work full time at Trace?

14 A. Full time.

15 Q. So after Trace, did you look for another
16 job?

17 A. Yes.

18 Q. And did you find another job?

19 A. Yes, I got a job at Hickam.

20 Q. And was that job with ORI?

21 A. Yes.

22 Q. All right. How did you find the job
23 opening for your job at ORI?

24 A. Gisella from DVR is the one that
25 directed me to that job.

1 INTERPRETER GOSS-KUEHN: G-I-S-E-L-L-A.

2 BY MR. DANG:

3 Q. And did you have to fill out a job
4 application form for that job at ORI?

5 A. Yes, I did.

6 Q. Did anyone assist you with filling out
7 that application form?

8 MR. YAU: Objection. Vague.

9 BY THE WITNESS:

10 A. Yes, I got assistance.

11 BY MR. DANG:

12 Q. Who assisted you?

13 A. I received assistance from Erin.

14 INTERPRETER GOSS-KUEHN: E-R-I-N.

15 BY MR. DANG:

16 Q. And who does Erin work for?

17 A. Well, I knew of Erin previously at
18 Pride.

19 Q. Is Erin's last name Kahea-Gross?

20 INTERPRETER HUNGERFORD: Spell that, please,
21 if you would.

22 MR. DANG: Sure. It's K-A-H-E-A, hyphen,
23 G-R-O-S-S.

24 BY THE WITNESS:

25 A. I don't know. I don't know last name.

1 All I remember is E-R-I-N, Erin. I would have to
2 look at my phone.

3 BY MR. DANG:

4 Q. When Erin was assisting you, was she
5 assisting you as a friend?

6 A. She's a friend of mine. She's my
7 friend.

8 Q. Do you know who Erin works for?

9 MR. YAU: Objection. Vague.

10 INTERPRETER HUNGERFORD: Clarification, just
11 for interpretation.

12 BY THE WITNESS:

13 A. So my friend Erin previously worked at
14 Pride then transferred to Trace. Yeah, to my
15 recollection, she only worked at Pride and then
16 transferred over to Trace. I'm not entirely sure
17 about ORI.

18 BY MR. DANG:

19 Q. Did Erin write on the application form
20 for ORI?

21 MR. YAU: Objection. Vague.

22 BY THE WITNESS:

23 A. So Gisella from DVR told me to go pick
24 up the form.

25

1 BY MR. DANG:

2 Q. Did you have a job interview for your
3 job at ORI?

4 INTERPRETER HUNGERFORD: Do you mind asking
5 the question again, just to be sure we have it
6 clarified? She is asking that I repeat it to her.

7 MR. DANG: Sure.

8 BY MR. DANG:

9 Q. Was there an interview --

10 INTERPRETER HUNGERFORD: Well, wait. She's
11 got it.

12 INTERPRETER GOSS-KUEHN: She said, "Sorry,
13 it was unclear."

14 BY THE WITNESS:

15 A. To answer your question, my apologies,
16 yes.

17 BY MR. DANG:

18 Q. Did you request to be provided with a
19 sign language interpreter at your interview with
20 ORI?

21 A. Yes, I did.

22 Q. Were you provided with one?

23 A. No, they didn't bring an interpreter.

24 Q. Did you have anyone with you to assist
25 with the job interview?

1 A. I remember at the interview there was
2 Juvy, Rose, and Marlene was there at that meeting.

3 Q. How did they ask you questions?

4 A. So at that meeting, there was no
5 interpreters. Did I fully understand that
6 conversation? Not entirely. However, Erin did take
7 up the role as an interpreter, but like I said,
8 they're not an expert.

9 Q. So Erin would interpret ORI's questions
10 to you, and she also interpreted questions -- or
11 response from you to ORI?

12 A. Is Erin an expert in interpreting? No.
13 Sometimes they would just talk out of turn without
14 even consulting or referring back to me, so I was
15 often left out in the conversation. So there was a
16 lot of conversation being had between the other
17 participants in the meeting. She would kind of
18 answer for me or kind of skip over me, so I wasn't
19 necessarily involved in that chain of
20 interpretation.

21 Q. How did you find out that you had gotten
22 the job at ORI?

23 A. Gisella from DVR had texted me and
24 e-mailed me as well.

25 Q. Did you have an orientation when you

1 started at ORI?

2 A. Yes, we did.

3 Q. Did you request to have an interpreter
4 present at your orientation with ORI?

5 A. I did request in writing to have an
6 interpreter for that orientation.

7 Q. Do you recall who you wrote the request
8 to?

9 A. To an individual named Wilma, W-I-L-M-A.

10 Q. Was an interpreter provided for you at
11 the orientation?

12 A. There was no interpreter there.

13 Q. Do you have a copy of your written
14 request to Wilma for an interpreter at orientation?

15 MR. YAU: Objection. Vague,
16 mischaracterizes witness' testimony, and assumes
17 facts not in evidence.

18 BY THE WITNESS:

19 A. Yes, so when I produced that written
20 request for the interpreter, I stored it away in a
21 drawer but then later to came to find out that it
22 was thrown away --

23 INTERPRETER GOSS-KUEHN: Oh, sorry, excuse
24 me. Interpreter clarification.

25 BY THE WITNESS:

1 A. They put it away in a drawer, and then
2 it was later discarded, or torn up specifically.

3 BY MR. DANG:

4 Q. Are you talking about the copy of the
5 request that you had given to ORI?

6 THE INTERPRETER: Copy of a request? Just
7 for clarification.

8 MR. DANG: Oh, the copy that was thrown
9 away.

10 INTERPRETER HUNGERFORD: Her note?

11 MR. DANG: Yeah.

12 INTERPRETER HUNGERFORD: I'm sorry, say that
13 question again.

14 MR. DANG: That's all right. I can rephrase
15 it.

16 BY MR. DANG:

17 Q. The note that was thrown away, is that
18 the note that you provided to ORI?

19 MR. YAU: Objection. Vague mischaracterizes
20 witness' testimony, assumes facts not in evidence.

21 BY THE WITNESS:

22 A. So there were two cards actually. So
23 I had two requests for -- so the first one was a
24 piece of paper, and that was produced, and the
25 second one was a card, both requesting for

1 interpreters.

2 BY MR. DANG:

3 Q. Did you keep copies of those two
4 requests for yourself?

5 MR. YAU: Objection. Vague, confusing,
6 assumes facts not in evidence.

7 BY THE WITNESS:

8 A. So that paper was taken away. Wilma had
9 taken it.

10 BY MR. DANG:

11 Q. And you did not make a copy before
12 giving it to Wilma?

13 A. Yeah, there's no copies.

14 Q. I would like to mark as Exhibit 1 the
15 document beginning with Bates number EEOC 709.

16 (Whereupon, a discussion was had
17 off the record.)

18 (Whereupon, Richard-White Exhibit 1
19 was presented.)

20 INTERPRETER HUNGERFORD: She is asking where
21 the interpreter is from, local?

22 BY MR. DANG:

23 Q. Joyce, I will represent that Exhibit 1
24 in front of you is a copy of the personnel file for
25 yourself that was produced by ORI in connection with

1 the charges in this litigation and subsequently
2 reproduced by EEOC in this lawsuit.

3 Can you please take a look at page EEOC
4 710. Can you let me know if you recognize the
5 handwriting on that page?

6 A. Yes, that is mine.

7 Q. Can you look through pages 711 through
8 718 and let me know if any of the handwriting is not
9 your handwriting.

10 A. Yes.

11 MR. YAU: Well, wait, I think we want to be
12 clear on this.

13 INTERPRETER HUNGERFORD: Okay. So we've got
14 711, and you -- I'll go ahead and voice.

15 MR. YAU: Can we go off the record.

16 (Whereupon, a discussion was had
17 off the record.)

18 BY MR. DANG:

19 Q. Joyce, you can disregard my last
20 question, and if you could please turn to page 715.
21 Did you write your name at the top of this form?

22 A. Yes, I did.

23 Q. And your job title beneath that?

24 A. Yes, I did.

25 Q. Did you write "DVR meeting" above your

1 signature?

2 A. No, I did not. Did not write "DVR
3 meeting."

4 Q. Can you turn to page EEOC 716, please.

5 A. Yeah, that previous one was not mine.
6 Just reiterating.

7 INTERPRETER HUNGERFORD: Now 7716.

8 MR. DANG: Yes.

9 BY MR. DANG:

10 Q. And is that your handwriting on this
11 page?

12 MR. YAU: Objection. Vague. Like what
13 handwriting? There are a few things on this.

14 BY MR. DANG:

15 Q. Is there any handwriting on this page
16 that does not appear to be yours?

17 A. Juvy was -- this is Juvy's writing.

18 Q. All of it?

19 A. Mine is here on the top, but the bottom
20 is Juvy's. The top is mine.

21 Q. By bottom, do you mean the words to the
22 right of the word "Reason"?

23 A. Next to the word reason is hers. Mine
24 is not the signature at the bottom. Above this
25 solid line is my writing.

1 Q. Understood. Can you please turn to page
2 EEOC 717. And can you let me know if any of the
3 handwriting on this page is not yours?

4 A. I did write this. This is mine.

5 INTERPRETER HUNGERFORD: Do you mind taking
6 over? I need to step out.

7 INTERPRETER GOSS-KUEHN: Okay.

8 BY THE WITNESS:

9 A. So to clarify, this page all this
10 writing is not mine, but the signature at the end is
11 mine.

12 BY MR. DANG:

13 Q. Who wrote the letter?

14 A. Juvy wrote that, and then my signature
15 is at the end.

16 Q. Okay. How did Juvy know what to write?

17 A. I just saw Juvy write it by hand, so --

18 INTERPRETER GOSS-KUEHN: I'm going to ask a
19 question on that.

20 BY THE WITNESS:

21 A. Okay. So Juvy wrote this information
22 down, and then I checked it over and then wrote on
23 it when I signed off on it.

24 BY MR. DANG:

25 Q. Did you ask her to write it for you?

1 A. So Juvy had asked me, "Oh, do you mind
2 writing this in?"

3 And I said, "Oh, I can't write. Can you
4 do that for me?" So Juvy took over and wrote this
5 message.

6 Q. How did Juvy know what to write in the
7 letter?

8 MR. YAU: Objection. Asked and answered.
9 BY THE WITNESS:

10 A. I mean, this is the one that Juvy was
11 writing that was produced for me.

12 BY MR. DANG:

13 Q. Did you tell Juvy what to write?

14 MR. YAU: Objection. Asked and answered.
15 BY THE WITNESS:

16 A. Yeah, I didn't tell them.

17 BY MR. DANG:

18 Q. This letter says, "I have two jobs. I
19 need to leave early."

20 Do you see that?

21 A. So I had -- so this is not my writing,
22 but I had written, like, phrases or words like
23 broken English and then showed it to Juvy and said,
24 "This is what I am trying to accomplish." And then
25 Juvy wrote this and more fully in English. I mean,

1 I don't know who wrote -- I mean, I didn't write
2 this, but --

3 MR. YAU: There is no question pending,
4 right?

5 INTERPRETER GOSS-KUEHN: No.

6 INTERPRETER LAMBRECHT: It's 12:30. I'm
7 hungry.

8 MR. DANG: We can go off the record.

9 (Whereupon, a short break was
10 taken.)

11 BY MR. DANG:

12 Q. You submitted a charge of discrimination
13 to the EEOC regarding ORI; is that correct?

14 A. Yes, I was the only one.

15 Q. And those --

16 INTERPRETER GOSS-KUEHN: Oh, sorry.

17 INTERPRETER HUNGERFORD: No, no, this is
18 good. We're good. We're back in our old spots.

19 BY MR. DANG:

20 Q. And those charges are the subject of
21 this lawsuit; is that right?

22 INTERPRETER HUNGERFORD: Well, would you
23 mind saying the sentence? I didn't hear the
24 beginning of it.

25

1 BY MR. DANG:

2 Q. Oh, I said those charges are the subject
3 of this lawsuit; is that correct?

4 MR. YAU: Objection. Vague, lack of
5 personal knowledge.

6 BY THE WITNESS:

7 A. Yes.

8 BY MR. DANG:

9 Q. When did you first contact the EEOC
10 about ORI?

11 MR. YAU: Objection. Vague.

12 BY THE WITNESS:

13 A. In 2018, I believe.

14 BY MR. DANG:

15 Q. And what is your job at ORI?

16 MR. YAU: Objection. Vague, what was her
17 job.

18 BY THE WITNESS:

19 A. Janitorial services for the bathrooms,
20 taking care of rubbish.

21 BY MR. DANG:

22 Q. Do you currently work for ORI?

23 A. No.

24 Q. When did you leave ORI?

25 A. Last year, 2022.

1 Q. Why did you file a charge with the EEOC
2 against ORI?

3 A. The reason why I made this complaint is
4 because when I kept requesting for an interpreter,
5 my needs were never met, and all of a sudden it got
6 to a point where there was so much rage and emotions
7 buried deep inside of me, that I went upstairs to
8 the bathroom and a torrent of tears just came out of
9 me, and I was really upset. So I thought to myself
10 I had to file this complaint.

11 Q. So you filed your complaint in 2018 but
12 continued working at ORI until 2020?

13 MR. YAU: Objection. Mischaracterizes
14 witness' testimony.

15 BY THE WITNESS:

16 A. So I started working in 2018 and then of
17 my four years of staying there, up until 2022, I was
18 fed up with the lack of interpretation, that I
19 decided to file this complaint.

20 BY MR. DANG:

21 Q. So you filed the complaint during your
22 first year at ORI?

23 A. I didn't file any complaints in the
24 beginning of work, and it was up until four years of
25 working at ORI in 2022 in which I was finally

1 decided to file a complaint.

2 Q. But you previously said you filed your
3 charge in 2018. Can you clarify, please?

4 A. My bad. Not 2022; I meant 2018.

5 Q. And you started work at ORI in 2018?

6 A. Yeah, it was in the same year that
7 I started working at ORI I had also filed a
8 complaint.

9 Q. And you had requested an interpreter
10 multiple times and were not provided with one?

11 MR. YAU: Objection. Vague, asked and
12 answered.

13 BY THE WITNESS:

14 A. Yeah, up until that time, I had been
15 making requests, and no interpreter had been
16 provided.

17 BY MR. DANG:

18 Q. Do you recall specifically when you made
19 any of those requests?

20 MR. YAU: Objection. Asked and answered.

21 BY THE WITNESS:

22 A. If you mean if I have to remember all of
23 them, no, or if I can remember all of them, no.

24 BY MR. DANG:

25 Q. Any of them?

1 MR. YAU: Objection. Asked and answered.

2 BY THE WITNESS:

3 A. To the best of my recollection, all of
4 the meetings had no interpreters except for just
5 one, and that one was at a small meeting
6 specifically, just the one time though.

7 BY MR. DANG:

8 Q. Did you request an interpreter for every
9 meeting?

10 MR. YAU: Objection. Asked and answered.

11 BY THE WITNESS:

12 A. Yes, many times. Yes.

13 BY MR. DANG:

14 Q. Can you estimate how many times you
15 requested an interpreter and were not provided one
16 by ORI?

17 MR. YAU: Objection. Asked and answered.

18 BY THE WITNESS:

19 A. I can't count. It's been so many.

20 BY MR. DANG:

21 Q. Would it be fair to say more than
22 15 times?

23 MR. YAU: Objection. Calls for speculation,
24 asked and answered.

25 BY THE WITNESS:

1 A. More than 15.

2 BY MR. DANG:

3 Q. Were any of those requests made in
4 writing?

5 MR. YAU: Objection. Asked and answered.

6 BY THE WITNESS:

7 A. Yes, I did.

8 BY MR. DANG:

9 Q. Were all of them in writing --

10 A. Many times I've given.

11 INTERPRETER GOSS-KUEHN: That wasn't a
12 response to that question. That was a response to
13 the previous question.

14 BY THE WITNESS:

15 A. I have written a lot of times a request
16 for interpreter. So whenever the meetings were
17 being had, I would go over and be like, "Oh, where's
18 the interpreter?"

19 And like, "Oh, there is no interpreter."
20 Sometimes I would see Wilma. There would be a
21 posting that would be post up and say, "Oh, we're
22 having a meeting tomorrow," and then I would request
23 like, "Oh, is there going to be an interpreter?"
24 And I kept asking and requesting for an interpreter
25 in person or in writing. They wouldn't have an

1 interpreter.

2 BY MR. DANG:

3 Q. And who did you direct your requests to?

4 MR. YAU: Objection. Asked and answered.

5 BY THE WITNESS:

6 A. To Wilma.

7 BY MR. DANG:

8 Q. Every time?

9 A. Yeah, she's my supervisor, so it was
10 always directed to her.

11 Q. So you requested an interpreter at your
12 interview for ORI, right?

13 MR. YAU: Objection. Asked and answered.

14 BY THE WITNESS:

15 A. Yes.

16 BY MR. DANG:

17 Q. And at your orientation?

18 MR. YAU: Objection. Asked and answered.

19 BY THE WITNESS:

20 A. There was no interpreter there.

21 BY MR. DANG:

22 Q. Did you request one for the orientation?

23 A. I had asked, like, "Is there going to be
24 an interpreter here," but then there was no
25 interpreter, so they went ahead in writing

1 throughout the orientation.

2 Q. But you did not request an interpreter
3 in advance of the orientation?

4 MR. YAU: Objection. Asked and answered,
5 mischaracterizes witness' testimony.

6 BY THE WITNESS:

7 A. I did request to have an interpreter
8 there, yeah.

9 BY MR. DANG:

10 Q. And of the other requests for an
11 interpreter that you made besides the interview and
12 orientation, were the rest of the requests in
13 connection with meetings?

14 A. Yeah, to the best of my recollection,
15 there was no interpreters after that except for that
16 one time when there was one interpreter.

17 Q. Did you save copies of any of your
18 written requests for an interpreter to ORI?

19 MR. YAU: Objection. Asked and answered.

20 BY THE WITNESS:

21 A. I did -- I do have some. I have records
22 for requests for interpreters at home. I wish I had
23 known this. I could have brought them. Sorry about
24 that.

25

1 BY MR. DANG:

2 Q. Did you ever provide copies to the EEOC?

3 MR. YAU: Objection. Vague.

4 BY THE WITNESS:

5 A. Yeah, I believe I gave some copies to
6 EEOC.

7 BY MR. DANG:

8 Q. Do you recall the month of any of the
9 meetings for which you requested an interpreter?

10 MR. YAU: Objection. Vague, asked and
11 answered.

12 BY THE WITNESS:

13 A. Specifically the one I remember is
14 October.

15 BY MR. DANG:

16 Q. October of which year?

17 A. October 2018.

18 Q. Do you specifically remember any other
19 meetings?

20 MR. YAU: Objection. Asked and answered.

21 BY THE WITNESS:

22 A. I mean, I would make my requests in
23 writing or tell them, "Remember to get an
24 interpreter." I can't remember all of the times.

25

1 BY MR. DANG:

2 Q. So you testified that you've made more
3 than 15 requests to Wilma for an interpreter and
4 never received one. Is there a reason why you
5 didn't make a request to someone else?

6 MR. YAU: Objection. Asked and answered,
7 mischaracterizes the witness' prior testimony.

8 BY THE WITNESS:

9 A. So there was one time in which I kept
10 making requests to Wilma and those needs weren't
11 being met. I decided to take my request to Juvy.

12 BY MR. DANG:

13 Q. And was that a written request to Juvy?

14 A. So yes, I did have paper. I did have my
15 request in writing, and I gave it to Juvy, and I
16 showed it to them.

17 Q. Did you save a copy for yourself?

18 A. I didn't keep the copy; Juvy did.

19 Q. Did Juvy respond to that request?

20 A. There was no response. They just
21 quietly walked away.

22 Q. When you filed your charge with the
23 EEOC, were you aware that it could become a lawsuit?

24 MR. YAU: Objection. Calls for speculation,
25 vague.

1 BY THE WITNESS:

2 A. I didn't know this. I wasn't aware.

3 BY MR. DANG:

4 Q. Have you ever been reprimanded at any
5 job?

6 MR. YAU: Objection. Vague.

7 BY THE WITNESS:

8 A. Never had a problem at any of my
9 previous jobs. I was never reprimanded.

10 BY MR. DANG:

11 Q. Have you ever been written up at any
12 job?

13 MR. YAU: Objection. Vague.

14 INTERPRETER HUNGERFORD: Is that a write-up
15 against this witness or somebody against the witness?

16 MR. DANG: Against the witness.

17 MR. YAU: Objection. Vague.

18 INTERPRETER GOSS-KUEHN: Thank you for that.

19 BY THE WITNESS:

20 A. So I've never gotten any formal
21 complaint from my employers at any of my positions
22 except for ORI.

23 BY MR. DANG:

24 Q. What complaints did you receive at ORI?

25 A. Yeah, there were interpreters provided

1 at each of the previous positions, but because
2 I kept asking ORI for an interpreter, I had to have
3 a complaint you know because they were
4 discriminating against me, so I issued a complaint
5 against ORI.

6 MR. YAU: Let's go off the record.

7 MR. DANG: Yeah.

8 (Whereupon, a discussion was had
9 off the record.)

10 BY MR. DANG:

11 Q. So to clarify, I'm talking now about an
12 appointment's complaint about your work.

13 Has an employer ever complained about
14 your work for them?

15 INTERPRETER LAMBRECHT: (Through Interpreter
16 Goss-Kuehn) let me think. I have to think how to
17 interpret this.

18 BY THE WITNESS:

19 A. Yeah, it's --

20 INTERPRETER HUNGERFORD: Just a
21 clarification, please.

22 MR. YAU: Let's go off the record.

23 (Whereupon, a discussion was had
24 off the record.)

25

1 BY MR. DANG:

2 Q. Has an employer ever talked to you about
3 being late for work?

4 A. No, never happened.

5 Q. Has an employer ever talked to you about
6 missing days at work?

7 A. No. No, no, no, none of that.

8 Q. Has an employer ever talked to you about
9 your performance at work?

10 A. There's been one or two instances in
11 which they kind of spoke to me and they said, "Hey,
12 your break is not" -- like, "you're a little bit
13 past your break, hurry in." It wasn't as much of a
14 reprimand; it was just a caution.

15 Q. Have any of your jobs given you
16 performance reviews?

17 A. No, there was nothing.

18 INTERPRETER GOSS-KUEHN: And Linda is asking
19 a follow-up question.

20 BY THE WITNESS:

21 A. So in regards to, like, stocking and
22 information, there was documents provided that Wilma
23 provided that said this is where you can restock
24 items, or this is what we're missing. Did she show
25 you that? Oh, she did ask pull me to the side and

1 then used text to let the client know, "Come over
2 here, we need to talk," and then we spoke about,
3 "These are some of the things that you missed." And
4 then she kept it.

5 BY MR. DANG:

6 Q. During your time at ORI, did you work
7 full time?

8 A. Yes, I worked full time, for 40 hours.

9 Q. Were you getting 40 hours during -- were
10 your hours ever reduced?

11 A. It was consistent.

12 Q. Other than the issue of interpreters,
13 were you happy at ORI?

14 MR. YAU: Objection. Vague.

15 BY THE WITNESS:

16 A. Yes, I took great pleasure in my job. I
17 enjoyed my bosses, my friends, my co-workers. It
18 was just that one issue of not having interpreters.
19 That was the biggest frustration.

20 BY MR. DANG:

21 Q. Was your salary at ORI higher than it
22 was at your jobs prior?

23 MR. YAU: Objection. Vague.

24 BY THE WITNESS:

25 A. Yes, you're correct.

1 BY MR. DANG:

2 Q. Are you currently employed?

3 A. I want to clarify. I mean, I'm off
4 today. Are you saying, like -- I mean, I'm going
5 back into work this Saturday.

6 Q. And who do you work for?

7 A. So I work at a restaurant called the
8 Eating House, and I'm a dishwasher.

9 Q. Did you leave your job at ORI for that
10 job?

11 INTERPRETER LAMBRECHT: (Through Interpreter
12 Goss-Kuehn) I'm going to clarify the question again.
13 So I'm going to rephrase it for the client.

14 MR. DANG: Sure.

15 BY THE WITNESS:

16 A. I mean, I left ORI, and then I had to
17 look for another job. So then I found the position
18 at the Eating House.

19 BY MR. DANG:

20 Q. Why did you leave your job at ORI?

21 MR. YAU: Objection. Asked and answered.

22 BY THE WITNESS:

23 A. I left because of the lack of
24 interpretation and access. That's why I left. We
25 have to have interpreters.

1 BY MR. DANG:

2 Q. Were you ever disciplined because you
3 did not understand information from a meeting at
4 ORI?

5 MR. YAU: Objection. Vague, asked and
6 answered.

7 BY THE WITNESS:

8 A. No.

9 BY MR. DANG:

10 Q. Did anybody ever talk to you about
11 information that you might have missed at a meeting
12 at ORI?

13 MR. YAU: Objection. Vague, asked and
14 answered.

15 BY THE WITNESS:

16 A. No.

17 BY MR. DANG:

18 Q. Did your salary increase during your
19 time at ORI?

20 MR. YAU: Objection. Vague as to how --

21 BY THE WITNESS:

22 A. Yes, it increased.

23 BY MR. DANG:

24 Q. What did you hope to accomplish by
25 filing charges with the EEOC?

1 INTERPRETER GOSS-KUEHN: And we're still
2 talking about ORI, right?

3 INTERPRETER HUNGERFORD: Again, the
4 question?

5 BY MR. DANG:

6 Q. Yeah, it was, What did you hope to
7 accomplish by filing a charge with the EEOC?

8 MR. YAU: Objection.

9 INTERPRETER LAMBRECHT: (Through Interpreter
10 Hungerford) let me think of the interpretation.

11 MR. YAU: Objection. Vague, asked and
12 answered.

13 BY THE WITNESS:

14 A. My expectation is that hopefully someone
15 at DVR, such as Gisella, can inform ORI to have
16 interpreters for the future.

17 BY MR. DANG:

18 Q. Is it your hope that ORI would be
19 punished?

20 MR. YAU: Objection. Vague.

21 BY THE WITNESS:

22 A. Yes, I do.

23 BY MR. DANG:

24 Q. Are you aware that you could receive a
25 financial benefit from the current lawsuit?

1 MR. YAU: Objection. Vague, calls for
2 speculation.

3 BY THE WITNESS:

4 A. No.

5 BY MR. DANG:

6 Q. Are you aware that ORI is a non-profit?

7 A. No, I wasn't aware.

8 Q. Do you know whether ORI employs any
9 disabled persons that are not deaf?

10 A. I haven't seen, no, I don't know.

11 Q. Can you estimate how many employees ORI
12 has?

13 MR. YAU: Objection. Calls for speculation.

14 BY THE WITNESS:

15 A. Yes, there's a lot. There's many.

16 BY MR. DANG:

17 Q. Have you ever seen an employee in a
18 wheelchair?

19 MR. YAU: Objection. Vague.

20 BY THE WITNESS:

21 A. I haven't seen anyone in a wheelchair,
22 but I have seen someone who was mentally regarded.

23 BY MR. DANG:

24 Q. How many people have you seen at ORI
25 that have a mental disability?

1 MR. YAU: Objection. Vague.

2 BY THE WITNESS:

3 A. Yeah, I've seen several people at work,
4 and there's a few that are mentally regarded that
5 I've seen, but no one in a wheelchair.

6 BY MR. DANG:

7 Q. Do you know whether ORI provides housing
8 to any of its employees?

9 MR. YAU: Objection. Calls for speculation,
10 lack of personal knowledge.

11 BY THE WITNESS:

12 A. Are you talking about myself? No, not
13 aware, but just at home, yeah.

14 BY MR. DANG:

15 Q. Do you know if ORI provides housing for
16 any of its other employees?

17 MR. YAU: Objection.

18 BY THE WITNESS:

19 A. No, I wasn't aware of that.

20 BY MR. DANG:

21 Q. Have you ever been to ORI's facility in
22 Wahiawa?

23 A. No, never been.

24 Q. You previously testified that you wanted
25 ORI to be punished.

1 Would you want ORI to go out of
2 business?

3 MR. YAU: Objection. Calls for speculation,
4 and mischaracterizes witness' prior testimony.

5 | BY THE WITNESS:

6 A. If they don't provide interpreters, no
7 services, and their doors have to shut, so be it.

8 MR. DANG: Could we take a quick five-minute
9 break.

10 (Whereupon, a break was taken.)

11 BY MR. DANG:

12 Q. Joyce, at ORI meetings where there was
13 no interpreter present, were handouts provided?

14 | A. Yes.

15 Q. Were slides presented on a screen?

16 | A. Uh-huh. Yes.

17 Q. Did anyone write notes to you during
18 those meetings and show them to you?

19 MR. YAU: Objection. Vague.

20 | BY THE WITNESS:

21 A. Specifically one individual, Juvy.

22 | BY MR. DANG:

23 Q. At the end of those meetings, did anyone
24 ask whether any of the attendees had questions about
25 the meeting?

1 MR. YAU: Objection. Asked -- objection.
2 Vague, calls for speculation, lack of personal
3 knowledge.

4 BY THE WITNESS:

5 A. No, not at all.

6 BY MR. DANG:

7 Q. Did you ever ask for clarification about
8 any of the content at a meeting?

9 MR. YAU: Objection. Vague, asked and
10 answered.

11 BY THE WITNESS:

12 A. I didn't bother to ask. I just went
13 right back to work because there was just no
14 interpreter. It wasn't worth asking for
15 clarifications. I just went back to work.

16 MR. DANG: I have no further questions.
17 Thank you for your time today, Joyce.

18 Do you have any redirect?

19 MR. YAU: I just have a question.

20 REDIRECT EXAMINATION

21 BY MR. YAU:

22 Q. So why did you feel you didn't need to
23 ask for clarifications?

24 INTERPRETER HUNGERFORD: Actually, can we
25 switch out for this.

1 BY THE WITNESS:

2 A. Yeah, I didn't bother to ask for
3 clarification. No, I just chose to keep silent.
4 There was no point in it.

5 Q. Why was there no point in it?

6 A. There was really no choice. I'd rather
7 choose to be quiet and leave rather than to create a
8 stir with asking questions when there was no
9 interpreter.

10 MR. YAU: Okay. No further questions. We
11 will ask to review the transcript.

12 MR. DANG: So as I mentioned previously, you
13 will have the opportunity to review, and the EEOC's
14 attorney has already stated that you will review the
15 transcript. Just know that at trial, Defendants have
16 the right to comment on any changes that you make to
17 your testimony.

18 MR. YAU: Do you have any questions?

19 INTERPRETER HUNGERFORD: Do you want to
20 answer that about being able to bring it up in court,
21 the Defendants?

22 THE WITNESS: (Through Interpreter
23 Hungerford) what did you say again, sir? Did you say
24 something recently?

25 INTERPRETER HUNGERFORD: She's asking.

1 MR. YAU: Do you have any questions?

2 THE WITNESS: (Through Interpreter
3 Hungerford) no, I don't have any more questions.
4 Thank you.

5 (The deposition was concluded.)

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1 I, JOYCE RICHARD-WHITE, hereby certify that
2 I have read the foregoing typewritten pages
3 1 through 83, inclusive, and corrections, if any,
4 were noted by me, and the same is now a true and
5 correct transcript of my deposition testimony.

6 DATED: Honolulu, _____.

7

8

9

10 _____
JOYCE RICHARD-WHITE

11

12 Signed before me this _____

13 day of _____, 2023.

14

15

16 _____
Notary Public

17

Deposition of: JOYCE RICHARD-WHITE

Taken on: May 12, 2023

18

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v ORI
ANUENUE HALE, INC.; OPPORTUNITIES AND RESOURCES,
19 INC.; and DOES 1-5, INCLUSIVE

20

Case No. CV-21-00286-JMS-RT

21

United States District Court/District of Hawai'i

22

By: Andrew R. Pitts, RPR, CSR #532

23

24

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27

C E R T I F I C A T E

[illegible]

I, ANDREW R. PITTS, Certified Shorthand Reporter, do hereby certify:

That on Friday, May 12, 2023, at 2:11 p.m. Hawaii Standard Time, appeared before me personally JOYCE RICHARD-WHITE, the witness whose deposition is contained herein; that prior to being examined the witness was by me duly sworn through an interpreter;

That the deposition was taken down by me in machine shorthand and was thereafter reduced to typewriting; that the foregoing represents, to the best of my ability, a true and correct transcript of the remote proceedings had in the foregoing matter.

That pursuant to Rule 30(e) of the Hawaii Rules of Civil Procedure, a request for an opportunity to review and make changes to this transcript:

 X Was made by the deponent or a party (and/or
their attorney) prior to the completion of
the deposition.

 Was not made by the deponent or a party
(and/or their attorney) prior to the
completion of the deposition.

Was waived.

I further certify that I am not an attorney for any of the parties hereto, nor in any way concerned with the cause.

Dated this 29th day of May, 2023, in Honolulu, Hawaii.

ANDREW R. PITTS, CSR, RPR
CSR NO. 532